

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

X CORP.,

Plaintiff,

v.

WORLD FEDERATION OF ADVERTISERS;
MARS, INCORPORATED; CVS HEALTH
CORPORATION; ØRSTED A/S; TWITCH
INTERACTIVE, INC.; NESTLÉ S.A.; NESTLE
USA, INC.; ABBOTT LABORATORIES;
COLGATE-PALMOLIVE COMPANY; LEGO
A/S; LEGO BRAND RETAIL, INC.;
PINTEREST, INC.; TYSON FOODS, INC.;
SHELL PLC; SHELL USA, INC. and SHELL
BRANDS INTERNATIONAL AG,

Defendants.

Civil Action No. 7:24-cv-00114-B

**DEFENDANT NESTLÉ S.A.'S MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION**

Defendant Nestlé S.A., by and through the undersigned attorneys, moves to dismiss the Second Amended Complaint, ECF No. 77, as to Nestlé S.A. for lack of personal jurisdiction under Fed. R. Civ. P. 12(b)(2). The grounds for this motion are set forth in the Brief, Appendix, and Declaration in Support of the Motion of Defendant Nestlé S.A. Motion to Dismiss for Lack of Personal Jurisdiction filed contemporaneously herewith. For the convenience of the Court, a Proposed Order is attached.

Dated: May 14, 2025

Respectfully submitted,

By: /s/ Carmine R. Zarlenga
Carmine R. Zarlenga (NDTX Bar No. 386244DC)
Oral D. Pottinger (*pro hac vice* forthcoming)
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Attorneys for Defendant Nestlé S.A.

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

/s/ Carmine R. Zarlenga
Carmine R. Zarlenga